

AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA AND JAPAN
CONCERNING NEW SPECIAL MEASURES RELATING TO
ARTICLE XXIV OF THE AGREEMENT
UNDER ARTICLE VI OF THE TREATY OF
MUTUAL COOPERATION AND SECURITY
BETWEEN THE UNITED STATES OF AMERICA AND JAPAN,
REGARDING FACILITIES AND AREAS AND
THE STATUS OF UNITED STATES ARMED FORCES IN JAPAN

The United States of America and Japan,

Confirming that the United States armed forces maintained in Japan under the Treaty of Mutual Cooperation and Security between the United States of America and Japan (hereinafter referred to as "the Treaty") and the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan (hereinafter referred to as "the Status of Forces Agreement"), both signed at Washington on January 19, 1960 (hereinafter referred to as "the United States armed forces"), contribute to the security of Japan and the maintenance of international peace and security in the Far East,

Recalling that, for the purposes of maintaining stable employment of the workers who are employed by Japan and render labor services to the United States armed forces or to the organizations provided for in paragraph 1(a) of Article XV of the Status of Forces Agreement (hereinafter referred to as "the workers") and ensuring the effective operations of the United States armed forces, various measures were provided for, inter alia, special measures relating to Article XXIV of the Status of Forces Agreement which sets forth the principles on the sharing of expenditures incident to the maintenance of the United States armed forces in the Agreement between the United States of America and Japan concerning New Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan, signed at Tokyo on January 23, 2006,

Noting situations involving both countries,

Recognizing that, for the purpose of ensuring the effective operations of the United States armed forces, it is necessary to take new special measures relating to Article XXIV of the Status of Forces Agreement,

Have agreed as follows:

Article I

Japan will bear, during the Japanese fiscal years 2008, 2009 and 2010, all or a part of the expenditures in paying the following wages to the workers:

(a) base pay, daily wage of daily employees, special term employees salary, hourly pay temporary employees hourly pay and theater personnel wage;

(b) regional allowance, discharge allowance, family allowance, remote area allowance, special work allowance, summer allowance, year end allowance, cold area allowance, retirement allowance including retirement allowances for workers separated by the United States armed forces or by the organizations provided for in paragraph 1(a) of Article XV of the Status of Forces Agreement through reduction in force and for workers whose employment is terminated for duty-connected disability or death due to duty-connected injury or illness, involuntary severance bonus for employees affected by reduction in force, pro rata bonus for employees affected by reduction in force, commutation allowance, conversion allowance, position conversion allowance, night duty allowance, housing allowance, unaccompanied duty allowance, wide-area transfer allowance, overtime pay, hourly pay temporary employees premium pay, holiday pay, night differential, non-work allowance and daily pay authorized for duty-connected illness or injury for hourly pay temporary employees; and

(c) allowance for lump sum payment to mariners for unexecuted annual leave, dangerous cargo allowance, engagement allowance, engine room allowance, engine work allowance, fire-fighting allowance, foreign ship bonus, foreign voyage allowance, labor allowance, reporting allowance, small vessel allowance, tanker allowance, towage allowance and master and chief engineer allowance.

Article II

Japan will bear, during the Japanese fiscal years 2008, 2009 and 2010, all or a part of the expenditures in paying costs of the following procured for official purposes in Japan by the United States armed forces, or by authorized procurement agencies of the United States armed forces upon appropriate certification:

(a) electricity, gas, water supply and sewerage from public utilities; and

(b) fuels for heating, cooking and hot water supply not included in (a) above.

Article III

With regard to training that the United States armed forces conduct using any specific facilities and areas among those facilities and areas the use of which is granted to the United States of America under Article VI of the Treaty (hereinafter referred to as "facilities and areas"), in cases where the United States of America, upon a request of the Government of Japan made at the Joint Committee provided for in paragraph 1 of Article XXV of the Status of Forces Agreement (hereinafter referred to as "the Joint Committee"), changes to the use of other facilities and areas instead of using the said specific facilities and areas all or a part of the said training, Japan will bear all or a part of the additional expenditures incident to such changes, provided that the Government of Japan, on making the above mentioned request, notifies the Government of the United States of America that Japan will bear expenditures in accordance with the provisions of this Article.

Article IV

The United States of America will make further efforts to economize the expenditures referred to in Article I, Article II and Article III.

Article V

Japan will determine, for each Japanese fiscal year, the actual amount of the expenditures that Japan will bear under Article I, Article II and Article III respectively and will promptly notify the United States of America of such determination.

Article VI

The United States of America and Japan may consult on all matters regarding the operation of this Agreement through the Joint Committee.

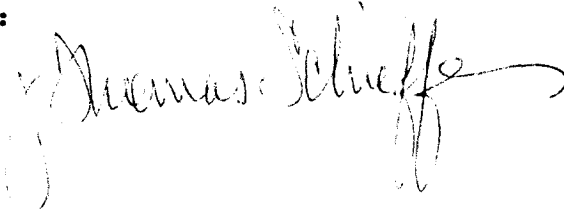
Article VII

This Agreement shall be approved by the United States of America and Japan in accordance with their respective internal legal procedures. This Agreement shall enter into force on the date when diplomatic notes indicating such approval are exchanged, and shall remain in force until March 31, 2011.

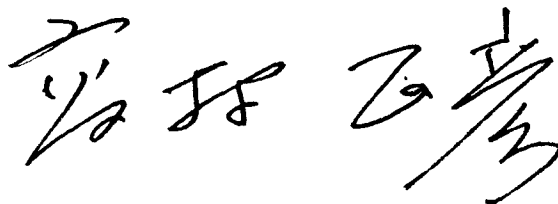
IN WITNESS WHEREOF the undersigned, duly authorized for the purpose, have signed the present Agreement.

DONE in duplicate at Tokyo in the English and Japanese languages, both equally authentic, this twenty-fifth day of January, 2008.

FOR THE UNITED STATES OF
AMERICA:

Handwritten signature of Thomas Schieff in cursive script.

FOR JAPAN:

Handwritten signature in Japanese cursive script, likely reading 'Takahashi Eiichi'.

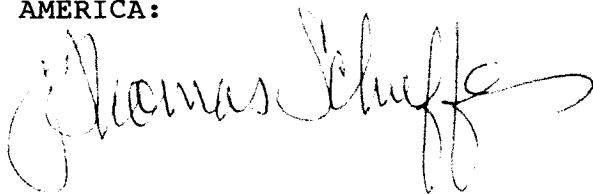
AGREED MINUTES TO THE AGREEMENT
BETWEEN THE UNITED STATES OF AMERICA AND JAPAN
CONCERNING NEW SPECIAL MEASURES RELATING
TO ARTICLE XXIV OF THE AGREEMENT
UNDER ARTICLE VI OF THE TREATY
OF MUTUAL COOPERATION AND SECURITY
BETWEEN THE UNITED STATES OF AMERICA AND JAPAN,
REGARDING FACILITIES AND AREAS AND
THE STATUS OF UNITED STATES ARMED FORCES IN JAPAN,
SIGNED AT TOKYO ON JANUARY 25, 2008

In connection with the discussions on Article I of the Agreement between the United States of America and Japan concerning New Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan, signed at Tokyo on January 25, 2008 (hereinafter referred to as "the Agreement"), the representatives of the United States of America and Japan have agreed to record the following:

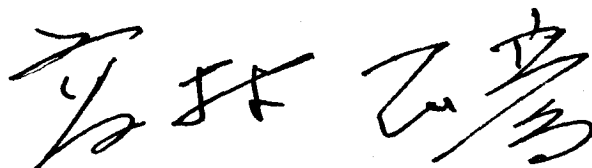
It is confirmed that the wages mentioned in Article I of the Agreement do not include those portions which had been already included in the part borne by Japan before the entry into force of the Agreement between the United States of America and Japan concerning Special Measures relating to Article XXIV of the Agreement under Article VI of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan, signed at Tokyo on January 30, 1987.

Tokyo, January 25, 2008

FOR THE UNITED STATES OF
AMERICA:



FOR JAPAN:



Translation

Tokyo, February 5, 2008

Excellency,

I have the honor to refer to Japan's Law Regarding Special Measures Concerning Supply Assistance Activities in Support of Counter-Terrorism Maritime Interdiction Activities (Law No.1 of 2008, hereinafter referred to as "the Law").

The purpose of the Law is to continue active and voluntary contributions to efforts by the international community for the prevention and eradication of international terrorism, and thereby contribute to ensuring peace and security of the international community including Japan, through activities related to the provision of supplies and services of the Self-Defense Forces of Japan (limited to activities that provide fuel for vessels or rotary wing aircraft carried on vessels and water) to vessels of the armed forces or other similar entities of foreign countries which are engaged in duties related to activities that contribute to the achievement of the purposes of the Charter of the United Nations by making efforts to eradicate the threat caused by the terrorist attacks in the United States of America on September 11, 2001, and to take such necessary measures as the inspection and verification of vessels sailing the Indian Ocean with a view to interdicting and deterring the movements of terrorists, weapons or other material under international cooperation (hereinafter referred to as "counter-terrorism maritime interdiction activities"), in order to assist in the smooth and effective implementation of counter-terrorism maritime interdiction activities.

I have further the honor to refer to the discussions that have taken place between our two Governments concerning supplies and services in the field of logistic support (hereinafter referred to as "the logistic support, supplies, and services") contributed to the armed forces or other similar entities of the United States of America in accordance with the Law and to propose on behalf of the Government of Japan the following arrangements as a result of those discussions:

His Excellency
Mr. John Thomas Schieffer
Ambassador Extraordinary
and Plenipotentiary
of the United States of America

1. The use of logistic support, supplies and services contributed to and accepted by the armed forces or other similar entities of the United States of America in accordance with the Law shall be consistent with the Charter of the United Nations.
2. The logistic support, supplies and services contributed to and accepted by the armed forces or other similar entities of the United States of America in accordance with the Law shall not be transferred, either temporarily or permanently, by any means to persons outside of the armed forces or other similar entities of the United States of America, without prior consent of the Government of Japan.
3. The official, or officials of the Department of Defense or other similar entities of the United States of America with authority to accept logistic support, supplies and services to be contributed in accordance with the Law shall be informed, in writing, by the official, or officials of the Government of Japan of the conditions contained in Paragraphs 1 and 2 above.
4. The Government of Japan and the Government of the United States of America will consult with each other for the purpose of effective implementation of the present arrangements.

I have further the honor to propose that, if the proposals set out above are acceptable to the Government of the United States of America, this Note and Your Excellency's reply to that effect on behalf of the Government of the United States of America shall be regarded as constituting an agreement between the two Governments in this matter, which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Masahiko Koumura
Minister for Foreign Affairs
of Japan

Tokyo, February 5, 2008

Excellency,

I have the honor to acknowledge the receipt of Your Excellency's Note of today's date concerning the discussions that have taken place between our two Governments concerning the logistic support, supplies and services contributed to the armed forces or other similar entities of the United States of America, which reads as follows:

"Excellency,

I have the honor to refer to Japan's Law Regarding Special Measures Concerning Supply Assistance Activities in Support of Counter-Terrorism Maritime Interdiction Activities (Law No.1 of 2008, hereinafter referred to as "the Law").

The purpose of the Law is to continue active and voluntary contributions to efforts by the international community for the prevention and eradication of international terrorism, and thereby contribute to ensuring peace and security of the international community including Japan, through activities related to the provision of supplies and services of the Self-Defense Forces of Japan (limited to activities that provide fuel for vessels or rotary wing aircraft carried on vessels and water) to vessels of the armed forces or other similar entities of foreign countries which are engaged in duties related to activities that contribute to the achievement of the purposes of the Charter of the United Nations by making efforts to eradicate the threat caused by the terrorist attacks in the United States of America on September 11, 2001, and to take such necessary measures as the inspection and verification of vessels sailing the Indian Ocean with a view to interdicting and deterring the movements of terrorists, weapons or other material under international cooperation (hereinafter referred to as "counter-terrorism maritime interdiction activities"), in order to assist in the smooth and effective implementation of counter-terrorism maritime interdiction activities."

His Excellency
Mr. Masahiko Koumura
Minister of Foreign Affairs
Of Japan

I have further the honor to refer to the discussions that have taken place between our two Governments concerning supplies and services in the field of logistic support (hereinafter referred to as "the logistic support, supplies, and services") contributed to the armed forces or other similar entities of the United States of America in accordance with the Law and to propose on behalf of the Government of Japan the following arrangements as a result of those discussions:

1. The use of logistic support, supplies and services contributed to and accepted by the armed forces or other similar entities of the United States of America in accordance with the Law shall be consistent with the Charter of the United Nations.
2. The logistic support, supplies and services contributed to and accepted by the armed forces or other similar entities of the United States of America in accordance with the Law shall not be transferred, either temporarily or permanently, by any means to persons outside of the armed forces or other similar entities of the United States of America, without prior consent of the Government of Japan.
3. The official, or officials of the Department of Defense or other similar entities of the United States of America with authority to accept logistic support, supplies and services to be contributed in accordance with the Law shall be informed, in writing, by the official, or officials of the Government of Japan of the conditions contained in Paragraphs 1 and 2 above.
4. The Government of Japan and the Government of the United States of America will consult with each other for the purpose of effective implementation of the present arrangements.

I have further the honor to propose that, if the proposals set out above are acceptable to the Government of the United States of America, this Note and Your Excellency's reply to that effect on behalf of the Government of the United States of America shall be regarded as constituting an agreement between the two Governments in this matter, which shall enter into force on the date of Your Excellency's reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration."

I have further the honor to confirm on behalf of the Government of the United States of America that the proposals set out in Your Excellency's Note are acceptable to the Government of the United States of America and that Your Excellency's Note and this reply shall be regarded as constituting an agreement between the two Governments, which shall enter into force on the date of this reply.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

for Ambassador S. Thomas Schiff
James R. Downum
Deputy Chief of Mission

Ambassador Extraordinary
And Plenipotentiary
Of the United States of America